

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JUAN FELIPE VIDRIO FUENTES,
MARTIN TOPETE,
JOHNATHAN TOPETE,
ANTHONY WAYNE JOHNSON II,
JAMES ANDREW STRINGARI, and
JANET DEAN WHITE,

Defendants.

CR 23–10–BU–DLC

ORDER

Before the Court is Defendant Juan Felipe Vidrio-Fuentes’s Unopposed Motion to Modify Trial Schedule. (Doc. 209.) Defendant requests that the Court modify the trial schedule in this matter so as to exclude Friday, April 26, and begin again on the following Monday, April 29. (*Id.* at 1.) The basis for the request is that counsel for Defendant has oral argument in the Ninth Circuit scheduled for April 26 at 10:00 a.m. (*Id.* at 2.) Neither opposing counsel nor counsel for the co-defendants oppose the request, (*id.*), and the Court finds that there is good cause to support the requested modification.

The Court also notes Defendant’s non-specific reference to the possibility of a motion to continue from one of the co-defendants in this matter. (*Id.* at 2.) The

Court cautions all parties that the current trial setting will not be moved absent an exceptionally strong showing that such a continuance is warranted. The Court has previously noted the complex logistics involved in managing a multi-defendant trial, which includes coordination between the parties, their counsel, the Court, and the United States Marshals Service. The Court has also repeatedly informed the parties that no continuance will be granted unless all defendants scheduled for trial agree to the continuance. In light of Defendant's pending pro se motion (Doc. 206)—construed as a motion to dismiss for violation of the speedy trial clock—and reassertion of his speedy trial right in the present motion, (Doc. 209 at 2), the Court is exceedingly skeptical that such an agreement could be reached.

Accordingly, IT IS ORDERED that the motion (Doc. 209) is GRANTED. The Court's trial schedule is modified to exclude Friday, April 26, 2024. The Court has reserved adequate time in the week of April 29 to complete trial. Trial remains scheduled for April 22, 2024, and the Court's scheduling order (Doc. 189) otherwise remains in full force and effect.

DATED this 8th day of April, 2024.



Dana L. Christensen, District Judge
United States District Court